

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000-14<sup>th</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	}	DATE: September 9, 2003
	)	
Georges Aguehounde	)	DOCKET NO.: 03F-025
Member	)	
Developmental Disabilities State	)	
Planning Council	)	
5100 Sheriff Road, NE	)	
Washington, DC 20019	)	

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Code §1-1106.02 (2001 Edition), Georges Aguehounde, Member, Developmental Disabilities State Planning Council, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing deadline of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 5, 2003, OCF ordered Georges Aguehounde (hereinafter respondent), to appear at a scheduled hearing on August 14, 2003 and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

OCF alleges that the respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On August 15, 2003, Respondent appeared at the scheduled hearing in a wheelchair and testified that the filing oversight was due to his wife's diagnosis in October 2002 with a chronic medical illness, at a time when she serves as his primary caregiver. Further, respondent's wife underwent surgery in February 2003. Moreover, respondent testified that he has been unable to attend any Board meetings this year. Respondent required assistance from an OCF staffer in the manual preparation of a

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Financial Disclosure Statement. Respondent presented medical records from the Washington Hospital Center dated October 15, 2003 and February 10, 2003 respectively, to verify his wife's serious medical condition and treatment.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2002, on or before June 19, 2003.
2. Respondent filed the required Financial Disclosure Statement on August 14, 2003 at the conclusion of the hearing.
3. Respondent provided a credible explanation for the filing delinquency in that he is physically challenged and required the assistance of his wife, who was undergoing treatment for a serious illness.
4. Respondent is currently in compliance with the statute.

**Conclusions of Law**

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code § 1-1103.05(b)(3), and 3 DCMR §§ 3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code § 1-1106.02, is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code § 1-1103.05(b)(3), the respondent may be fined a maximum of \$1,950.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3 DCMR § 3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file constitutes good cause for suspension of the fine.

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**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Jean Scott Diggs**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Kathy S. Williams**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the fine in this matter be hereby suspended.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order.

\_\_\_\_\_  
**Rose Rice**  
**Legal Assistant**

**NOTICE**

Pursuant to 3 DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14<sup>th</sup> Street, N.W., Washington, D.C. 20009.